

ABC PROCESS SERVICE, INC.

Attorney:

JOHN WARE UPTON, ESQ.

Index No. 07CV4603

Date Filed 05/31/07

Office No. JWU01ONE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WALTER LIPSCOMB

(PLAINTIFF)

against

(DEFENDANT)

THE CITY OF NEW YORK, ETAL;

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

JOSHUA NAVARRETTE being duly sworn deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York:

That on the 12 day of June 2007 at 3:52 PM, at

1 POLICE PLAZA;NY, NY 10038 % NEW YORK CITY POLICE DEPT

I SERVED the SUMMONS IN A CIVIL CASE, COMPLAINT & DEMAND FOR JURY TRIAL, STATEMENT OF RELATEDNESS upon

DEPUTY INSPECTOR THERESA SHORTELL

the defendant herein named by delivering to and leaving a true copy of said SUMMONS IN A CIVIL CASE, COMPLAINT & DEMAND FOR JURY TRIAL, STATEMENT OF RELATEDNESS with a person of suitable age and discretion: to wit MR. BROADRICK, CO-WORKER Deponent described Person served as aforesaid to the best of deponents ability at the time and circumstances of service as follows:

Sex MALE, Color WHITE, Hair BROWN, app.age 38 YRS, app.ht 6'3", app.wt 210 LBS

That on the 14 day of June 2007 I deposited in the U.S. mails a true copy of the SUMMONS IN A CIVIL CASE, COMPLAINT & DEMAND FOR JURY TRIAL, STATEMENT OF RELATEDNESS properly enclosed and sealed in a post-paid wrapper addressed to the said defendant at the aforementioned

(B) (place of business marked personal and confidential)

1 POLICE PLAZA;NY, NY 10038 % NEW YORK CITY POLICE DEPT

BY FIRST CLASS MAIL. AND NOT BEARING ANY IDENTIFICATION TO A LAWSUIT.

That at the time of service aforesaid, I asked Person so served or Person spoken to whether the defendant herein was in the military service of the State of N.Y. or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the defendant is not in the military service of the State of N.Y. or the United States as that term is defined in the statutes or the State of N.Y. or the Federal Soldiers and Sailors Civil Relief Act.


SWORN to before me this 14
day of June 2007

JOSHUA NAVARRETTE

License No.: 1232814

:bb

□


BRIAN C. McMAHON
Notary Public, State of New York
No. 01MC6153852
Qualified in New York County
Commission Expires Nov. 20, 2010